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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No : 10/809,344
Applicant : Contini et al.
Filed : March 26, 2004
Title : Injector and Nozzle Assembly For a Washing
Machine Out-of-Balance Correction System

TC/A.U. : 1746
Examiner : N/A

Docket No. : CON001-058
Customer No.: 27238

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The below identified communication(s) or document(s) is(are) submitted in the above application or proceeding:

- | | |
|---|--|
| <input type="checkbox"/> Amendment/Response | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Information Disclosure Statement with ___ ref. | <input type="checkbox"/> Check in the Amount of _\$ |
| <input checked="" type="checkbox"/> Renewed Petition Under 37 C.F.R. § 1.137(b) | <input type="checkbox"/> Assignment |
| <input type="checkbox"/> | <input type="checkbox"/> Associate Power of Attorney |
- ☒ Please charge **Deposit Account Number 04-1075** for any deficiency or surplus in connection with this communication. A duplicate copy of this sheet is provided for use by the Deposit Account Branch.

Respectfully submitted,

Everett G. Diederiks, Jr.
Attorney for Applicant
Registration Number: 33,323

Date May 10, 2007



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RENEWED PETITION UNDER 37 C.F.R. § 1.137(b)

Sir:

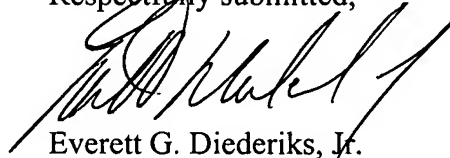
It is respectfully requested that the decision on the petition under 37 C.F.R. § 1.137(b), filed December 15, 2006 to revive the above-identified U.S. patent application, be reconsidered.

As noted in the Petition to Revive filed on December 15, 2006, the application was unintentionally abandoned as a result of a representative for the Applicant filing a Request for Express Abandonment in the wrong case. More specifically, in 2006, Maytag Corporation was purchased by Whirlpool Corporation. After the buyout was finalized, the patent cases assigned to Maytag Corp. were transferred to Whirlpool Corp. At that time, Whirlpool Corp. had decided to expressly abandon several applications originally filed by Maytag Corp. Unfortunately, in the confusion resulting from the buyout and transfer of cases, Requests for Express Abandonment were filed in certain

applications by mistake. Unfortunately, the present case is one of the cases that was unintentionally, expressly abandoned. The express abandonment filed in the present application was signed by a Whirlpool attorney. The undersigned, who previously was outside counsel for Maytag and filed the original application, is now outside counsel for Whirlpool. The undersigned became aware of the filing of the express abandonment upon receipt of the Notice of Abandonment mailed on November 1, 2006 by the U.S.P.T.O. Immediately thereafter, Whirlpool in-house counsel was contacted and questioned regarding the abandonment, whereupon the mistake was recognized. On December 15, 2006, the petition to revive was filed. The abandonment was unintentional and the entire time period between the abandonment filing and the filing of this petition was unintentional. It should also be noted that the inventors were, at no time, made aware of the filing of the express abandonment, particularly as the abandonment was not intended in the first place.

From a discussion held with Ms. Karen Creasy of the Office of Petitions on May 2, 2007, it is understood that no additional reply is needed in this case as only clarification was desired and the application has yet to be examined. As this petition is believed to be in full conformance with the requirements of 37 C.F.R. § 1.137(b), it is respectfully submitted that the petition be granted and the application revived. If Patent Office personnel should have any additional questions or concerns regarding the Petition to Revive, they are cordially invited to contact the undersigned at the number provided below.

Respectfully submitted,



Everett G. Diederiks, Jr.
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Date: May 10, 2007
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